

**IN THE UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**IN RE:**

**MARY BRENNIA RYLEE,**

**Debtor.**

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§

**CASE NO. 21-10436-tmd**

**CHAPTER 11  
(SUBCHAPTER V)**

**DEBTOR'S EXPEDITED APPLICATION FOR RETENTION OF THE HAYGOOD  
LAW FIRM PURSUANT TO 11 U.S.C. § 327(e) AS FAMILY LAW COUNSEL**

TO THE HONORABLE TONY M. DAVIS,  
UNITED STATES BANKRUPTCY JUDGE:

Debtor Mary Brenna Rylee (the “Debtor”) hereby files her *Expedited Application for Retention of the Haygood Law Firm Pursuant to 11 U.S.C. § 327(e) as Family Law Counsel* (the “Application”) authorizing the Debtor’s retention and employment of the Haygood Law Firm (“Haygood”) as family law counsel for the Debtor. In support of the Application, the Debtor respectfully states as follows:

**I. SUMMARY**

1. Prior to filing her bankruptcy, the Debtor used Haygood as counsel for her divorce currently pending in Travis County, Texas. Pursuant to 11 U.S.C. § 327(e), Rule 2014(a) of the Federal Rules of Bankruptcy Procedure, and Rule 2014 of the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for the Western District of Texas (the “Local Rules”), the Debtor requests entry of an order authorizing the retention of Haygood to continue its role as counsel to the Debtor for her pending family law matters.

## II. STATUS OF THE CASE AND JURISDICTION

2. On May 31, 2021 (the “Petition Date”), the Debtor commenced the above-captioned Chapter 11 case by filing a voluntary petition for relief under Chapter 11, Subchapter V of Title 11 of the United States Code §§ 101, *et seq.* (the “Bankruptcy Code”).

3. The Debtor is operating and managing her property as a debtor-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

4. No request for a trustee or examiner has been made. A committee of unsecured creditors has not been appointed or designated.

5. This Court has jurisdiction over this Application under 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A). Venue of this proceeding and this Application is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409.

6. The bases for the relief sought in this Application are Sections 327, 328, 330, and 1107 of the Bankruptcy Code, Rule 2014 of the Federal Rules of Bankruptcy Procedure, and Rule 2014 of the Local Rules.

## III. BACKGROUND

7. The Debtor and her non-filing spouse, Michael G. Rylee (the “Spouse” and together with the Debtor, the “Parties”) are parties to a pending divorce proceeding (the “Divorce Proceeding”), styled *In the Matter of the Marriage of Mary Brenna Rylee and Michael Rylee*, Cause No. D-1-FM-20-002731, in the 353rd Judicial District Court of Travis County, Texas (the “Divorce Court”).

8. Among the issues in the Divorce Proceeding is custody of the Parties’ minor children (the “Child Custody Matters”). The Parties hope to have a determination of the Child Custody Matters prior to the start of the fall school year so that the Parties’ children may begin classes without fear of disruption and the need to change schools during the academic year.

9. On July 8, 2021, the Debtor filed an Expedited Agreed Motion for Order Modifying the Automatic Stay to Allow Determination of Custody Issues (the “Motion”) to allow the Divorce Court to hear and decide the Child Custody Matters, which was granted by the Court on July 9, 2021. *See* Dkt. Nos. 43 & 47.

#### **IV. RELIEF REQUESTED**

10. The Debtor seeks to employ Haygood as counsel for her pending family law matters in the Divorce Proceeding, including the Child Custody Matters.

11. Section 327(e) of the Bankruptcy Code states: “The trustee, with the court’s approval, may employ, for a specified special purpose, other than to represent the trustee in conducting the case, an attorney that has represented the debtor, if in the best interest of the estate, and if such attorney does not represent or hold any interest adverse to the debtor or to the estate with respect to the matter on which such attorney is to be employed.”

12. The Debtor believes that it is in the best interest of her estate that Haygood be employed as counsel for her family laws matters in the Divorce Proceeding under the terms and conditions set forth in the engagement agreement (the “Engagement Agreement”) attached hereto as **Exhibit A** and the disclosures attached hereto as **Exhibit B** (the “Compensation Disclosures”). Haygood will charge on an hourly fee basis and will also be entitled to reimbursement of reasonable expenses. The 2021 hourly rate for Haygood is \$400.00, a range which the Debtor believes is in accordance with standard and customary fees charged in Texas for similar family law matters. No final compensation will be paid until a fee application has been filed and approved by the Court, pursuant to 11 U.S.C. § 330 and the requirements of any other applicable law.

13. Haygood maintains an office for the practice of law at 522 North Grant Avenue, Odessa, TX 79761, with a telephone number of (432) 337-8514.

14. The employment of Haygood will not result in duplication of efforts by the Debtor's bankruptcy counsel at Husch Blackwell LLP. To the contrary, Haygood's substantive knowledge of the Debtor and her pending family law matters will result in more efficient legal representation of the Debtor in the Divorce Proceeding.

15. Lane A. Haygood, the primary attorney for Haygood in this matter, is a licensed attorney in good standing with the State Bar of Texas. Mr. Haygood has personal experience representing the Debtor in her family law matters. The Debtor believes that it is in her best interest to employ Haygood to represent her with respect to these matters.

16. Haygood does not currently hold a retainer balance on behalf of the Debtor and does not have a pre-petition or pre-conversion claim in the Bankruptcy Case.

17. Except as set forth in this Application and in the Declaration of Lane A. Haygood attached hereto as **Exhibit C** (the "Declaration"), Haygood has not received any other payment in connection with this Bankruptcy Case, nor has it executed any other agreement for payment of its fees or expenses in these cases, nor has it agreed to share any compensation in this case with any other person.

18. Undersigned counsel for the Debtor has reviewed this representation and does not believe that Husch Blackwell's representation of the Debtor constitutes a conflict of interest with respect to the proposed retention of Haygood.

19. To the best of Debtor's knowledge, on information and belief, Haygood has no connection with the Debtor, her creditors, parties-in-interest or affiliates, or attorneys, the United States Counsel, or any person employed in the Office of the United States Counsel.

20. No previous application for the relief requested herein has been made to this or any other court.

**V. CONCLUSION**

WHEREFORE PREMISES CONSIDERED, the Debtor prays that she be authorized to retain the Haygood Law Firm as counsel for her family law matters, and for other just relief.

Dated: July 9, 2021.

Respectfully submitted,

HUSCH BLACKWELL LLP

By: /s/ Jameson J. Watts

Lynn Hamilton Butler

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**PROPOSED COUNSEL FOR  
DEBTOR MARY BRENN RYLEE**

**CERTIFICATE OF CONFERENCE**

I certify that I conferred with all counsel of record regarding the relief sought in this Motion and its expedited consideration. The Debtor's non-filing spouse agrees to the relief requested in this Motion and its expedited consideration. The Subchapter V Trustee and SouthStar Bank have no objection to the relief requested in this Motion and its expedited consideration. Ector County, Texas and the U.S. Trustee take no position on the relief requested in this Motion and have no objection to its expedited consideration. As of the filing of the Motion, no other parties have taken a position with respect to the relief requested in the Motion or its expedited consideration.

/s/ Jameson J. Watts

Jameson J. Watts

**CERTIFICATE OF SERVICE**

I certify that on July 9, 2021, a copy of this document was served upon the parties and by the means indicated below.

/s/ Jameson J. Watts

Jameson J. Watts

**Notice will be served via ECF to:**

Mary Brenna Rylee  
c/o Jameson J. Watts  
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**Notice will be mailed via United States  
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